

Macco & Stern, LLP
Attorneys for the Movants
135 Pinelawn Road, Suite 120 South
Melville, New York 11747
(631) 549-7900
Michael J. Macco, Esq.

Hearing Date: May 21, 2015
Time: 11:30 a.m.

Objections Due: May 18, 2015
Time: 5:00 p.m.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Case No. 15-71331 (AST)

DANA SMITH,

Chapter 13

Debtor.

-----X

AMENDED NOTICE OF HEARING
ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY

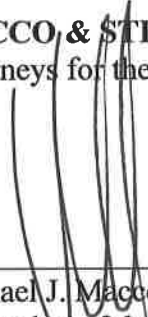
PLEASE TAKE NOTICE, that, by the motion (the "Motion"), dated April 28, 2015, Tracey McCauley, Kimberly Hysni, and Westey Smith Mandriota, individually, and in their capacity as co-successor trustees of the Gloria M. Smith Grantor Ten Year Retained Trust (collectively, the "Movants"), by and through their counsel, Macco & Stern, LLP, will move before the Honorable Alan S. Trust, United States Bankruptcy Judge, Eastern District of New York, at the Courthouse located at 290 Federal Plaza, Central Islip, New York, Room 960, on **May 21, 2015 at 11:30 a.m.** or as soon thereafter as counsel may be heard, for an order terminating the automatic stay in order to: (A) deem that the Gloria M. Smith Grantor Ten Year Retained Income Trust (the "Trust") is not property of the bankruptcy estate of Dana M. Smith (the "Debtor"), the above-referenced debtor, or, alternatively, (B)(i) continue litigating an action in the Surrogate's Court of Suffolk County; (ii) remove the Debtor as trustee of the Trust; (iii) appoint a successor trustee or co-successor trustees to the Trust; (iv) wind-down and administer the assets of the Trust; (v) market and sell certain real property owned by the Trust; and (vi) pursue a remedy as to certain real property owned by the Trust.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the relief sought in the Motion must conform to the Bankruptcy Rules and Local Bankruptcy Rules for the Eastern District of New York, as modified by any administrative orders entered in this case, and be filed with the Bankruptcy Court electronically in accordance with General Order 461, be registered users of the Bankruptcy Court's filing system and, by all other parties in interest, on a 3.5 inch disk, in portable document format (PDF), WordPerfect, Microsoft Word DOS text (ASCII) or a scanned image of the filing, with a hard copy delivered directly to Chambers, and may be served in accordance with General Order 462, and upon (i) counsel to the Movants, Macco & Stern, LLP, 135 Pinelawn Road, Suite 120 South, Melville, New York 11747; (ii) the Office of the United States Trustee, 560 Federal Plaza, Central Islip, New York 11722; (iii) the Debtor and her counsel; and (iv) Marianne DeRosa, the chapter 13 trustee, so as to be received no later than **May 18, 2015 at 5:00 p.m.**

Dated: April __, 2015
Melville, NY

MACCO & STERN, LLP
Attorneys for the Movants

By:



Michael J. Macco
A Member of the Firm
135 Pinelawn Road, Suite 120 South
Melville, New York 11747
(631) 549-7900